

**IN THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF PENNSYLVANIA**

SAM MANNINO ENTERPRISES,
INC. and SAM MANNINO
ENTERPRISES, LLC, d/b/a
INVESTORS FIRST CAPITAL,

Plaintiffs,

v.

CIT RAILCAR FUNDING
COMPANY, LCC and THE CIT
GROUP/EQUIPMENT FINANCING,
INC.,

Defendants.

No. 4:19-CV-02075

(Judge Brann)

ORDER

AND NOW, this 10th day of June 2021, in accordance with the
accompanying Memorandum Opinion, **IT IS HEREBY ORDERED** that:

1. Plaintiffs' motion for additional discovery under Rule 56(d) (Doc. 23)
is **GRANTED**, subject to the following:
 - a. Within 30 days of this Order: (1) Plaintiffs shall submit
document requests to Defendants related **only** to Angela
Harmon; (2) the parties will come to terms on a protocol for the
disclosure of pertinent electronically stored information; and (3)
Defendants shall produce relevant discovery.

- b. Defendants shall also produce Ms. Harmon for deposition within 45 days of this Order.
2. Defendants' Motion for Summary Judgment (Doc. 15) is **GRANTED** on Count 1 and **DENIED WITHOUT PREJUDICE** on Count 2.
3. The Clerk of Court shall defer entry of summary judgment on Count 1 until the conclusion of this case.
4. Within 15 days of Ms. Harmon's deposition, Defendants may move again for summary judgment on Count 2. The briefing schedule established by the Federal Rules of Civil Procedure and the Local Rules of the Middle District of Pennsylvania will apply beyond that point.
5. Plaintiffs are put on notice that they will not receive any additional extensions of time (for discovery or briefing), absent an exacting and compelling showing of good cause.

BY THE COURT:

s/ Matthew W. Brann

Matthew W. Brann
United States District Judge